

रजिस्टर नं० पी० ६७



राजपत्र, हिमाचल प्रदेश (असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, सोमवार, ६ दिसम्बर, १९६८/१८ अग्रहायण, १९६०

**GOVERNMENT OF HIMACHAL PRADESH
VIDHAN SABHA SECRETARIAT**

NOTIFICATION

Simla-4, the 4th December, 1968

No. 1-68/68-VS.—In pursuance of Rule 135 of the Rules of Procedure and Conduct of Business of the Himachal Pradesh Legislative Assembly, 1964, the Indian Registration (Himachal Pradesh Amendment) Bill, 1968

१२३२ असाधारण राजपत्र, हिमाचल प्रदेश, ६ दिसम्बर, १९६८/१८ अग्रहायण, १९६०

(Bill No. 49 of 1968) as introduced in the Himachal Pradesh Legislative Assembly on the 2nd December, 1968 is hereby published in the Himachal Pradesh Government Gazette.

SURENDRA NATH,
Under Secretary.

Bill No. 49 of 1968.

THE INDIAN REGISTRATION (HIMACHAL PRADESH AMENDMENT) BILL, 1968

(AS INTRODUCED IN THE LEGISLATIVE ASSEMBLY)

A

BILL

to amend the Indian Registration Act, 1908 (16 of 1908) in its application to Himachal Pradesh.

Be it enacted by the Legislative Assembly of Himachal Pradesh in the Nineteenth Year of the Republic of India as follows:—

1. (1) This Act may be called the Indian Registration (Himachal Pradesh Amendment) Act, 1968.

(2) It extends to the whole of the Union territory of Himachal Pradesh.
(3) It shall come into force at once.

2. (1) The Indian Registration (Punjab Amendment) Act, 1941 and the Indian Registration (Punjab Amendment) Act, 1961, (hereinafter referred to as the said Acts), as in force in the territory added to the Union territory of Himachal Pradesh by sub-section (1) of section 5 of the Punjab Re-organisation Act, 1966, are hereby repealed and the amendments made in the principal Act by the said Acts, shall cease to have operation in the said territories.

(2) Nothing contained in sub-section (1) shall affect—

- (a) the previous operation of the said Acts or anything duly done or suffered thereunder; or
- (b) any right, privilege, obligation or liability acquired, accrued or incurred under the said Acts; or
- (c) any penalty, forfeiture or punishment, incurred in respect of any offence committed against the said Acts; or
- (d) any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid;

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced and any such penalty, forfeiture or punishment may be imposed as if the said Acts, had not been repealed.

16 of 1908

3. In the Indian Registration Act, 1908 (hereinafter referred to as the principal Act), after section 18, the following section shall be inserted, namely:—

“18-A. Document for registration to be accompanied by a true copy.— Notwithstanding anything contained in this Act, the registering officer shall refuse to register any document presented to him for registration unless such document is accompanied by a true copy thereof.”

4. In section 19 of the principal Act, for the words “a true translation”, the words “two copies of the true translation” shall be substituted.

5. In section 52 of the principal Act, for clause (c) of sub-section (1), the following clause shall be substituted, namely:—

“(c) subject to the provisions contained in section 62, a copy of every document admitted to registration shall, without un-necessary delay be pasted in the book appropriated therefor according to the order of admission of the document.”

Short title,
extent and
commencement.

Repeal and
savings.

Insertion of
new section
18A.

Amendment
of section
19.

Amendment
of section
52.

Amendment
of section
62.

6. In section 62 of the principal Act, for sub-section (1), the following sub-section shall be substituted, namely:—

“(1) When a document is presented for registration under section 19, a copy of the translation shall be pasted in the register of documents of the nature of the original, and the second copy of the translation, together with the true copy referred to in section 19, shall be filed in the registration office.”

Amendment
of section 69.

7. In section 69 of the principal Act, in sub-section (1), after clause (b), the following clause shall be inserted, namely:—

“(bb) providing for the grant of licences to document writers, the revocation of such licences, the terms and conditions subject to which, and the authority by whom such licences shall be granted and generally for all purposes connected with the writing of the documents to be presented for registration.”

STATEMENT OF OBJECTS AND REASONS

At present, the Indian Registration Act, 1908 (16 of 1908), which provides for registration of documents, is in force with different amendments and provisions of law in the two different areas of Himachal Pradesh, viz., the areas transferred to Himachal Pradesh under section 5 of the Punjab Re-organisation Act, 1966 and the areas comprised in Himachal Pradesh immediately before the 1st November, 1966. In the former, the amendments as affected in the said Act by the Punjab Acts 8 of 1941 and 19 of 1961, are in force, while in the latter, no such amendments are in force. With a view to bringing about uniformity in the matter of registration of documents, it has been considered necessary to repeal the amending Acts aforesaid and to enact a unified amending law for the entire Himachal Pradesh. The Bill seeks to achieve the aforesaid object.

SIMLA:
The 2nd December, 1968.

LAL CHAND PRARTHI,
Revenue Minister.

FINANCIAL MEMORANDUM

Nil

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause (bb) as proposed to be inserted after clause (b) in sub-section (1) of section 69 of the Indian Registration Act, 1908 (Act 16 of 1908), in its application to Himachal Pradesh, by virtue of clause 7 of this Bill, empowers the Inspector General of Registration to make rules in respect of the matters enumerated therein.

प्रबन्धक, हिमाचल प्रदेश शासन मुद्रणालय, शिमला-३ द्वारा मुद्रित तथा प्रकाशित ।